

FINAL BILL REPORT

HB 1280

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Synopsis as Enacted

Brief Description: Increasing the seriousness ranking for hit and run death.

Sponsors: By Representatives Simpson, Ballasiotes, O'Brien, Cairnes, Lovick, Santos, Armstrong, Campbell and Keiser.

House Committee on Criminal Justice & Corrections
Senate Committee on Judiciary

Background:

Criminal Sentencing. Under the Sentencing Reform Act (SRA) an offender convicted of a felony is subject to a standard sentence range based on the offender's prior convictions and seriousness of the offense.

Crimes are categorized into one of 16 seriousness levels– depending on the seriousness of the offense, from level I, punishable by zero days to 29 months imprisonment, to level XVI, punishable by life imprisonment without parole or by death. An adult offender is also assigned an offender score– generally based on the number of the offender's prior convictions.

A table that matches the seriousness level– of the crime with the offender score– is used to determine what sentence the offender will receive, unless the court determines that the conditions for imposing an exceptional sentence are met.

Hit-and-Run Accident. A driver of a vehicle involved in an accident must remain at the scene and provide required information, including the driver's name, address, and insurer, to any person struck or injured or any person occupying a vehicle that has been struck. The driver must also provide reasonable assistance to a person injured in an accident. A driver who is incapable of complying due to injuries sustained in the accident is not subject to penalty.

Failure to remain at the scene and provide required information in the case of an accident resulting in death is a class B felony ranked at level VIII on the sentencing grid. The presumptive sentence range for a level VIII offender with no prior criminal history, is 21 to 27 months.

Summary:

The seriousness level for hit-and-run resulting in death is increased from level VIII to level IX. Accordingly, the presumptive sentence range for an offender with no prior criminal history increases from 21 to 27 months to 31 to 41 months.

Votes on Final Passage:

House 98 0

Senate 40 7

Effective: July 22, 2001